

Kitty Hawk Planning Board Meeting
September 18, 2025 – 6 p.m.
Kitty Hawk Municipal Building, Smith Room

Minutes

The Town of Kitty Hawk Planning Board held its regularly scheduled meeting on Thursday, September 18, 2025. The meeting was held in the Smith Room at the Kitty Hawk Municipal Building, 101 Veterans Memorial Drive, Kitty Hawk, NC.

1.) Call to Order: 6:00 p.m.

Attendance:

Members Present: John Richeson, Chairman, Bryan Parker, Vice Chairman
Matt Spencer, Member Dave Morton, Alternate

Members Absent: Chuck Heath, Member Blair Meads, Alternate
Jim Geraghty, Member

Others Present: Rob Testerman, Planning Director, Melody Clopton, Town Manager
Jessica Everett, Administrative Zoning Technician

Voting: Dave Morton will vote this evening in place of absent members.

2.) Approval of Agenda:

Chairman Richeson: Does anybody have any changes, deletions, additions, or last-minute changes? Okay, seeing none, we'll declare the agenda approved.

3.) Approval of Minutes:

Chairman Richeson: Did everyone get a chance to review the minutes from the May 15, 2025, meeting? Are there any glaring misprints that need correction? Seeing none, does someone care to make a motion to approve the minutes for this May 15 meeting?

MOTION

Motion made by Matt Spencer to approve the May 15, 2025, minutes.

Seconded by Vice-Chairman, Bryan Parker.

Vote: YEAS – unanimous

4.) Town Manager Presentation

Town Manager Clopton: Good evening, I am Melody, I think I met all of you, or at least met you once or twice. First of all, thank you for all that you do for the town. We appreciate your service.

I have been tasked by Town Council to come up with the operating guidelines for highly effective government. They kind of felt that even within themselves, they needed some guidelines for attendance and dress code and things like that. So I believe you all have this in your packet?

And I guess that's why I'm just going to review it with you. And the town council has all signed this, so you're next on the list, and then we will get the Board of Adjustment. So anybody who is elected or appointed to a board position is expected to abide by these guidelines.

1. Honor the expressed will of the majority, respect the concerns of the minority, and give our best efforts to work for the benefit of all.
2. To ensure maximum productivity, the Board should focus on policy-making work, and the staff should focus on day-to-day operational work and provide progress updates.
3. Act with integrity and independence from improper influence as they exercise the duties of their office.
4. Faithfully perform the duties of their office. Board members should act as the especially responsible citizens who others can trust and respect.
5. Conduct the Work of the Board in an Open and Public Manner. Complying with all applicable laws governing open meetings and public records.
6. Review meeting materials thoroughly and identify any questions, concerns, or points requiring clarification from staff. Whenever possible, questions should be submitted to the staff in advance of the meeting.
7. All interactions should reflect a spirit of mutual respect, transparency, and cooperation.

Number eight is specifically for town council members. Does anybody have any questions or comments about any of those things?

Chairman Richeson: Well, I just demonstrated exactly what not to do.

Town Manager Clopton: Yeah, okay.

Secondly, the dress code. Members are expected to present a professional appearance at all public meetings and events. Attire should reflect the organization's value of professionalism and foster public confidence.

We have a list of acceptable things, slacks, trousers, shorts, dresses, skirts, blouses, golf shirts, collared shirts, sweater shirts. Not acceptable are t-shirts with slogans or logos, athletic wear, excessively revealing clothing, and your hats and caps should be removed when you are conducting the meeting. You can wear them in, you can wear them out, but while you're in the meeting, hats should be off.

And of course, we have special consideration for religious attire if someone needs an accommodation. And the last thing is the attendance. Please make every effort to attend the scheduled meetings arriving on time and prepared to discuss the topics at hand. And that sounds like just on your conversation before people notify you as the board chair if

they're not able to attend, or Rob, or somebody. Just make sure somebody knows. And giving as much notice as possible if you're unable to attend a meeting.

So the last page is a name, signature, and date. And if nobody has any objections I would like for you to sign.

I appreciate your cooperation and if anyone has any questions, let me know. Thank you.

Chairman Richeson: Thank you. That brings us to item number five.

Mr. Testerman: Before that, I the no revealing clothing was aimed at Bryan.

Vice-Chairman Parker: If I can make this more fun.

5.) Administrative Report

Mr. Testerman: So, at the June 2nd council meeting, they approved the two-lot subdivision for 4106 Bob Perry Road. July 7th, they voted to deny the amendment to the subdivision ordinance following the planning board's recommendation. And that same hearing, they heard the revised language for the decks and permeable materials. They ended up tabling it, and then at the August 4th meeting, they approved that text amendment. And in September, I had nothing on the agenda.

Chairman Richeson: Thank you, Rob. That brings us to item number six, public comment.

6.) Public Comment:

Chairman Richeson stated that this portion is dedicated to those in the audience who want to speak to the Board about any issues. Those speaking should come to the podium and state their name for the record. He also noted that the Board is an 'advisory' board to the Town Council, and the Council can approve or deny what the Board puts forward.

7.) Text Amendment

- a.) Sec. 42-74. Variances. Update language related to variance findings to align with state statutes.

Mr. Testerman: All right, this one should be fairly straightforward. During the last variance hearing that the board adjustment held, I was looking through the ordinance and noticed that our ordinance is still requiring, and we haven't been enforcing it because the state has eliminated that fifth requirement that the variance is the variance is the minimum variance that will make possible a reasonable use of the building or structure. The applicants for variances no longer have to show that it's the minimum necessary in order to grant variance. So taking that out is just aligning our language with the state statute, the 160D-705. The other changes that are proposed here are just other minor changes that would put it word-for-word matching with what's in the state statute.

COMMENTS

Chairman Richeson: Now, would you explain, mind explaining to the board what you told me, what it went from application, went from ordinance to regulation, the language?

Mr. Testerman: Yeah, just mirroring the state statute, you said the final, the last page of the staff report has the actual 160D-705 and they make reference to regulation rather than ordinance. So, it probably doesn't really make a difference, but I figured if we're changing it anyway, we might as well make it just line up with the state. And you can see in number two, the additional line that a variance may be granted when necessary and appropriate to make reasonable accommodation under the Federal Fair Housing Act for a person, for a person with disability, that just comes straight from that language also.

Chairman Richeson: Yeah, probably with the ADA. Does anybody have any questions for Rob? Anyone care to make a motion?

MOTION

Vice Chairman Parker: I recommend approval of the proposed amendments to section 42-74. The board has found this proposal to be consistent with the town's adopted land use plan.

Seconded by Matt Spencer

Vote: YEAS – unanimous.

Chairman Richeson: That brings us to item number eight.

8.) Commercial Site Plan Review

a.) 5133 Putter Lane Commercial Park and Lot.

Mr. Testerman: All right, and just as a reminder, this is a commercial site plan review, so we're just reviewing to ensure that all the minimum zoning standards are being met. It's a fairly straightforward proposal here, just a commercial parking lot that would be in that vacant lot to the north of the three medical offices connected there to provide extra parking for those offices. You can see the proposed lot coverage, physical area is at 47.27%, which is well under the maximum allowed. Yards and setbacks, parking lots must be 10 feet from a public right-of-way. That front public right-of-way, or the front edge of it is the closest to any of the public rights-of-way at 44 feet. I will note that to the rear there it is closer, but that section where it's labeled Putter Lane up there is actually part of the town's property, where the like the police department is and Beach Medical, so it's not a public right-of-way there. Site access, they've got the site plan proposed to connect to the parking lot to the south, and then also feed out onto that extended Putter Lane area on the west side of the property. One recommended condition that I kind of thought of as I was looking at this, I'm not sure, I know John and Bryan, you were

on the board when those three offices were applied for and approved. Matt, I don't recall if you were on the plan board.

Mr. Spencer: I was on alternate.

Mr. Testerman: Okay, during that review, the access from those three buildings that feeds out onto Putter Lane drew some comments and concerns from residents on Putter Lane with increased traffic. It's a private road on that section, and they were concerned with increased traffic, maintenance and all that, so my thought was to try to get ahead of any potential concerns that we might get if the access going out to Putter could be designed just to be left in from the north and right out heading on to the 5200 property. And then one that came up yesterday morning, speaking with our public works director, and I've spoken with Lynn about both of these, and she didn't seem to have any concerns. There's a concrete valve vault on the property that houses a water meter and backflow preventer for the town's property at 5200. He said this is the water line that feeds the medical center building and the fire hydrants for our property. We'll need to ensure access to the vault via easement or some other means. We should also be able to repair the water line that runs on their side of the northern property line. So, I guess, a condition of access easement for repair to the utilities.

Chairman Richeson: You mean like if they damage?

Mr. Testerman: Not necessarily if they damage it, but if there's ever just a leak that needs to be repaired or something like that, the public works crews can get on the property to make those necessary repairs.

Chairman Richeson: It looked like it was, when I saw it, it looked like it was far enough off the road. I mean, it's going to be close to the edge, but the vault itself.

Mr. Testerman: Oh yeah, I mean it's already there.

Chairman Richeson: Right, I saw it.

Mr. Testerman: Yeah, it's on the property itself, not in the right of way or anything. So that was the only concern that our public works director had. It appears to meet all the minimum zoning requirements. You see they have incorporated permeable pavement in there with the concrete or the asphalt as well.

COMMENTS

Mr. Spencer: So Rob, oh I'm sorry, can I just interrupt? So your recommendation, Rob, I understand that Putter Lane right left turn, but you don't have a condition in your recommendation in the package about the access for utility repairs. So we're going to have to read that in? Is that what you're saying?

Mr. Testerman: Right, like I said, that just came to me yesterday. But yeah, you can in the motion just make reference to what I noted.

Vice Chairman Parker: Have you heard anything from the neighbors about this?

Mr. Testerman: I have not. And it may be that, you know, this is a commercial site plan review, so those were special use permit, I believe, so the adjacent property owner

notices went out and all that. That's not a part of this. And they wouldn't be an adjacent property owner anyway.

Chairman Richeson: Anyone have any questions for the applicant?

Mr. Morton: Yeah, so this has nothing to do with required parking. This is just additional parking that those three units want to have for customers slash people that work there and so on?

Mr. Strader: You are correct.

Mr. Morton: I was curious whether or not it was required, part of required or not, because then what would you do with additional handicap parking spots possibly and so on and existing things. But this is just someone's got a good heart and they want to supply some more parking.

Mr. Strader: It's really good to see y'all y'all. I wasn't intended to be here. It was really Lynn with Outer Banks Health that fully intended to be here. She gave me a little blurb. I'm wondering if she had contact since she wasn't able to attend. I could read a little blurb, a statement from her, if that's okay. It might help explain exactly what we're looking for. Who am I that's giving us your name? And I'm Mike Strader, an engineer. So, Lynn Miles, she's the executive director for the medical operations of Outer Banks Health. She provided me with this statement and this is all about the request for the additional parking for their north campus. She says, and this is her words, We appreciate the talent of Kitty Hall Planning Board's ongoing support and consideration as we continue to serve the growing health care needs of our community. We're respectfully requesting approval for additional parking spaces at our north campus clinic. On an average day, we accommodate approximately 255 patients and have 40 team members on site. The current parking capacity is no longer sufficient to meet this demand, often leaving both patients and staff without available spaces. Previously, team members were able to park at the former Sentara building and walk to the clinic. However, with that facility now occupied by the police department and considering the proximity of Bear and Beach, this is no longer a viable option. So, to maintain safe, timely, and accessible care for our patients and to support our dedicated health care team, we believe the addition of parking spaces is both necessary and urgent. We sincerely appreciate your consideration and help make this matter possible. And in my own words, I was just going to reiterate what I think you heard Rob already say. It is a commercial site plan for parking and it's been designed to be in complete conformance with your ordinance. It does meet the thresholds for a state P&S permit or a state stormwater permit. However, the stormwater that you see is meets and exceeds the town's more stringent flooring requirements. And I know from the get-go, there was a lot of conversation about whether or not it should be an entrance over the highway. And I've heard on all fronts that nobody wants another entrance over the highway. So we avoided that at all costs. Connecting Thruway wouldn't provide ample number of spaces. When I say Thruway, I'm just connecting the two existing uses on either side. So, the logical path was coming in and then connecting to Putter Lane, which obviously needs the town's cooperation

because it's not a public highway, but there is access to it. And yes, that would be in full support of any conditions, whether it's a right out only. And yes, they definitely want to be neighborly. And if they're seeking your permission to go on your property, they definitely want to provide you access and to grant any easement needed for your border infrastructure. So again, they want to be neighborly.

Chairman Richeson: Does anyone have any questions for Mike or Rob?

Mr. Spencer: Mike, how is Putter Lane maintained now? Just by the people that live on the street?

Mr. Strader: Well, it is a right-of-way for the farther south. But when you look at, I can't see the map here, but when you look at the parcel delineation, I mean, immediately west of our subject parcel, I mean, that is by the town. So I mean, that's kind of maintained.

Mr. Spencer: Okay. So when you say that it's private, it would be private to the south of this parcel?

Mr. Testerman: Yes. So, you can see the section from here to north is all part of the town property. And then that section to the south is private to the property owners along Punter Lane there that they handle the maintenance.

Mr. Spencer: Just didn't want the private owners on that street to complain about maintenance to that portion of the road. But that's not an issue. Thank you.

Mr. Spencer: And the proposed plan shows, because that town property, that portion of Putter Lane immediately is where we're talking about connecting, the width is slightly narrower than the rest. So, I mean, part of the plan is to propose adding pavement to match that pavement width.

Chairman Richeson: Where it gets really narrow and has a run-stop sign.

Mr. Strader: But yeah, if there are any citizen concerns with additional traffic, then I would agree with what your planning director suggested. Yeah, a right out. I don't think it's appropriate to restrict the in movement, so I think right out would be the right, if that's necessary at all.

Chairman Richeson: Anyone else?

Mr. Morton: When you say right out though, are you talking about putting in a, what I would call like a pork chop, that forces you to go right? Or is it just going to be a sign that says right turn only? What exactly does that mean, right out? Does it mean an additional, we call it pork chops, I'm not sure.

Mr. Testerman: It could either be accomplished by signage or just designing it to funnel traffic one way.

Mr. Morton: I'm so sorry, I don't mean to interrupt. So is that something that the town would do? Is that a suggestion that we're hoping to get from them that we would do this? Or is this something the town would do, it's like a, you almost dictate, no, we want it to be this way, whether it be a sign or a pork chop.

Mr. Testerman: Well, I think if we're setting the condition of approval to do it, then I guess it'd be the town to decide how you want to see that accomplished and see what

the, and this is a commercial site plan and not, you know, like a special use permit where we can set specific conditions. It's more, you know, we would like to see this happen because we don't have any requirement in our zoning ordinance to source that to happen.

Mr. Morton: The question would go to them, and they would say, Hey, how about if we do this?

Mr. Testerman: Right, like we overcame it with the buildings to the south, there's signage in there saying, I think it's emergency vehicles only or emergency access only, to try to prevent the customers from going out onto Putter Lane. So, do we have anyone out there ensuring that it's only being used for emergency access? No, but it was sufficient at the time. So I mean, I think whatever the applicant is willing to do with it, you know, I think we're kind of got to go with it.

Mr. Spencer: What if we were to say that we, I mean, I'm inclined, of course, to approve this, but with the caveat that there have to be some limits on ingress and egress by way of Putter Lane, not prohibiting it, but restricting it. I mean, does that leave enough wiggle room for parties to figure out how to do that?

Mr. Strader: I think so.

Mr. Spencer: Rather than dictate to you that we're going to have a left in, right out, and it has to have a pork chop and all that stuff, I think we just said that that's not what we need to do. Right. But could we say that there needs to be some limitation on ingress and egress by way of Putter Lane?

Mr. Strader: I think that's fair, and I think if you made that condition to kind of encourage right-out traffic, I mean, and that kind of leaves it flexible in how we do this because, I mean, we've all seen, I know Dave has seen plenty of these right in, right outs that just get abused. I mean, so no matter what we put here, it's not going to say no one will ever turn around. Right. However, I think most of us obey signage, so at a minimum, I believe the signage would be acceptable. I'm not opposed to shaping the entrance; I just have to be careful with the design because I want to allow traffic to come in from either direction.

Mr. Morton: Oh yeah, you mean if they were coming down the private part of Putter Lane, then it would be hard for them to turn right in there if we shaped it too much, is what you're trying to say? I got you.

Chairman Richeson: And people who live back in the neighborhood back there off of Grissom, that's probably, in the summer, they're not going to go out on the bypass, they're going to take Putter Lane.

Mr. Strader: I'm glad you said that because I'm biting my tongue here, but so the same people that we're protecting, because we don't, none of us want to put more traffic on that private street, but we also want to allow them to come in from that direction.

Chairman Richeson: They're like, that's my street. I think most people would obey a sign and also remember that the proposed parking area attaches to the parking lot, is aproned into the parking lot from the ear, nose, and throat place, so people have

another way to get out too. Like if they're going south, they can go through the apron and exit the bypass and go south. So that's not the only exit.

Mr. Spencer: Unless there's anything else, I'm ready to make a motion.

MOTION

Mr. Spencer: I move to recommend approval of the commercial site plan for 5133 Putter Lane, subject to the conditions recommended by staff and also the condition that the town have some sort of enforceable access for utility repair and replacement, and that we limit egress from this parcel onto Putter Lane to right turn only.

Seconded by Chairman Richeson.

Vote: Aye – unanimous

Mr. Strader: Thank you all, I appreciate it. Good seeing you.

Chairman Richeson: Thank you. That brings us to number nine, comments.

9.) Comments

Chairman Richeson: First Meeting in a long time, so I'm a little rusty.

10.) Adjourn:

Hearing no further comments, Chairman Richeson adjourned the September 18, 2025, Kitty Hawk Planning Board meeting at 6:29: p.m.

 10/30/2025

John Richeson, Chairman

Respectfully Submitted,

Jessica M. Everett
Administrative Zoning Technician